

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Rates for Interstate Inmate Calling Services) WC Docket No. 12-375
)

ORDER

Adopted: August 14, 2014

Released: August 14, 2014

By the Chief, Pricing Policy Division, Wireline Competition Bureau:

1. On September 26, 2013, the Commission released the *Inmate Calling Report and Order and FNPRM*.¹ In that item, the Commission adopted a one-time mandatory data collection “[t]o enable the Commission to take further action to reform rates, including developing a permanent cap or safe harbor for interstate rates as well as to inform our evaluation of other rate reform options.”² On April 17, 2014, the Commission submitted the mandatory data collection to the Office of Management and Budget (OMB) for review and approval pursuant to the Paperwork Reduction Act of 1995.³ The Commission received the requisite OMB approval on June 2, 2014.⁴ The Commission released a Public Notice on June 17, 2014, announcing OMB’s approval and setting the due date for data submission as July 17, 2014.⁵ In response to several petitions requesting an extension of time to file the mandatory data,⁶ the Wireline Competition Bureau (Bureau) extended the data collection deadline by 30 days, to August 18, 2014.⁷

¹ See *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 14107 (2013) (*Inmate Calling Report and Order and FNPRM*), *pets. for stay granted in part sub nom. Securus Techs. v. FCC*, No. 13-1280 (D.C. Cir. Jan. 13, 2014); *pets. for review pending sub nom. Securus Techs. v. FCC*, No. 13-1280 (D.C. Cir. filed Nov. 14, 2013) (and consolidated cases).

² *Id.* at 14172, para. 124.

³ Information Collection Being Submitted for Review and Approval to the Office of Management and Budget, 79 Fed. Reg. 21,757 (Apr. 17, 2014).

⁴ Rates for Interstate Inmate Calling Services, 79 Fed. Reg. 33,709 (June 12, 2014).

⁵ See *Commission Announces Inmate Calling Services Data Due Date*, WC Docket No. 12-375, Public Notice, DA 14-829 (Wireline Comp. Bur. rel. June 17, 2014).

⁶ [Global Tel*Link Corporation (GTL)] Motion for Extension of Time to Respond to One-Time Mandatory Data Collection for ICS Providers, WC Docket No. 12-375 (filed July 1, 2014); CenturyLink Public Communications, Inc.’s [CenturyLink] Motion for Extension of Time to Respond to One-Time Mandatory Data Collection, WC Docket No. 12-375 (filed July 3, 2014); Motion of Network Communications International Corp. [NCIC] for Extension of Time to Respond to One-Time Mandatory Data Collection for ICS Providers, WC Docket No. 12-375 (filed July 3, 2014); [Inmate Calling Solutions, LLC (ICSolutions)] Motion for Extension of Time to Respond to One-Time Mandatory Data Collection, WC Docket No. 12-375 (filed July 7, 2014); Telmate, LLC [Telmate] Motion for Extension of Time to Respond to One-Time Mandatory Data Collection, WC Docket No. 12-375 (filed July 10, 2014).

⁷ See *Rates for Interstate Calling Services*, WC Docket No. 12-375, Order, DA 14-993 (Wireline Comp. Bur. rel. July 11, 2014) (*Partial Waiver Grant Order*).

2. In this Order, the Bureau responds to motions filed by CenturyLink, GTL, ICSolutions, NCIC, and Telmate (collectively ICS providers) seeking a further extension of time to respond to the Commission's one-time mandatory data request.⁸ The ICS providers generally repeat arguments made and considered when the Bureau granted the first extension, and provide insufficient support to constitute good cause for granting a further extension.

3. We found in the *Partial Waiver Grant Order*, that "respondents have had ample notice and information about this data collection."⁹ We affirm that decision and deny the motions. Any additional extension as requested by the ICS providers would result in more than a 60-day extension from the original data due date. We find that the requested extension would cause undue delay in this proceeding. Under section 1.46(a) of the Commission's rules, it is the policy of the Commission that extensions of time shall not be routinely granted.¹⁰ We do not find that the circumstances presented here warrant granting another extension.

4. Accordingly, IT IS ORDERED that, pursuant to sections 1, 2, 4(i), 4(j), 5, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i), 154(j), 155, and 303(r), and sections 0.91, 0.201(d), 0.291 and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.201(d), 0.291, and 1.46, the motions for extension of time filed by CenturyLink, GTL, ICSolutions, NCIC, and Telmate, filed on August 6, 8, and 11, 2014, ARE DENIED. The due date for all providers of ICS to comply with the mandatory data collection IS August 18, 2014.

FEDERAL COMMUNICATIONS COMMISSION

Kalpak S. Gude
Chief
Pricing Policy Division
Wireline Competition Bureau

⁸ See CenturyLink Public Communications, Inc.'s Motion for Partial Waiver of Deadline to Respond to One-Time Mandatory Data Collection, WC Docket No. 12-375 (filed Aug. 6, 2014) (CenturyLink Motion); Motion for Further Extension of Time to Respond to One-Time Mandatory Data Collection, WC Docket No. 12-375 (filed Aug. 6, 2014); Motion for Extension of Time to Respond to One-Time Mandatory Data Collection for ICS Providers, WC Docket No. 12-375 (filed Aug. 8, 2014); Telmate, LLC Motion for Further Extension of Time to Respond to One-Time Mandatory Data Collection, WC Docket No. 12-375 (filed Aug. 8, 2014); Motion of Network Communications International Corp. for Extension of Time to Respond to One-Time Mandatory Data Collection for ICS Providers, WC Docket No. 12-375 (filed Aug. 11, 2014). We note that the CenturyLink Motion seeks "only a partial waiver of the August 18, 2014 deadline to give it time to complete the portion of the response to the Data Collection relating to its jail contracts." CenturyLink Motion at 5.

⁹ *Partial Waiver Grant Order* at para. 4.

¹⁰ See 47 C.F.R. § 1.46(a).